



BAXTER CITY COUNCIL AGENDA

Tuesday, February 3, 2015

The regular meeting of the Baxter City Council will be held on Tuesday, February 3, 2015 at 7:00 p.m. at the Baxter City Hall, 13190 Memorywood Dr., Baxter, MN.

1. Call Meeting to Order

2. Roll Call

3. Public Comments

Comments received from the public may be placed on a future meeting agenda for consideration.

4. Consent Agenda

The following items are considered non-controversial by staff and are recommended to be read and passed in one motion. Any council person, staff, citizen, or meeting attendee can request one or more items be pulled from the Consent Agenda and the item will be pulled and addressed immediately after the passage of the Consent Agenda; otherwise, the following items will be passed in one motion:

- A. Approve City Council Minutes from January 20, 2015 (pp. 3 – 8).
- B. Approve City Council Work Session Minutes from January 20, 2015 (pp. 9 – 10).
- C. Approve the Payment of Bills and Finance Report (Addendum A and Addendum A-1).
- D. Approve Resolution No. 2015-11 Relating to Parking Restrictions on Inglewood Drive from Excelsior Road to Trunk Highway 210 in the City of Baxter, MN (pg. 11).
- G. Approve Resolution No. 2015-12 Relating to Parking Restrictions on Novotny Road from Trunk Highway 371 to Dellwood Drive in the City of Baxter, MN (pg. 12).
- H. Approve Resolution No. 2015-13 Relating to Parking Restrictions on Dellwood Drive from Novotny Road to Whispering Woods Lane in the City of Baxter, MN (pp. 13).
- I. Approve Agreement Between Minnesota State Colleges and Universities, Central Lakes College, and the City of Baxter for Student Supervised Pre-Internship Training (pp. 14 – 20).

- J. Approve Long Range Planning Commission Minutes from January 26, 2015 (pp. 21 - 24).
- K. Approve Parks and Trails Commission Minutes from January 26, 2015 (pp. 25 - 28).
- L. Approve the installation of the "Yellow Ribbon" community sings (pp. 29 - 30).
- M. Direct staff to solicit proposals from qualified engineering firms to provide professional engineering and related services for the 2015 City of Baxter Annual Mill & Overlay and Full Depth Reclamation Projects (pg. 31).
- N. Approve Resolution No. 2015-14 Relating to Parking Restrictions on Isle Drive from County State Aid 48 to Glory Road in the City of Baxter, MN (pp. 32).

5. Pulled Agenda Items

6. Other Business

7. Council Comments

- A. Quinn Nystrom
- B. Steve Barrows
- C. Todd Holman
- D. Mark Cross

8. City Administrator's Report

9. City Attorney's Report

- A. Discussion of Land Acquisition Negotiations. *Closed Session under MN Statute 13D.05, Subd. 3(c)(3) to develop an offer for the purchase of real property.*
- B. Labor Contract Negotiations. *Closed Session under MN Statute 13D.03*

10. Adjourn

BAXTER CITY COUNCIL MINUTES
January 20, 2015

Mayor Darrel Olson, who led in the pledge to the flag, called the regular meeting of the Baxter City Council to order at 7:00 p.m.

MEMBERS PRESENT: Mayor Darrel Olson and Council Members Quinn Nystrom, Steve Barrows, Todd Holman, and Mark Cross

MEMBERS ABSENT: None.

STAFF PRESENT: City Administrator Gordon Heitke, Assistant City Administrator Kelly Steele, Community Development Director Josh Doty, Public Works Director/City Engineer Trevor Walter, Finance Director Jeremy Vacinek, Police Chief Jim Exsted, and City Attorney Brad Person.

OATH OF OFFICE

Assistant City Administrator Steele administered the Oath of Office to new Council Member Quinn Nystrom.

PUBLIC COMMENTS

Dave Schonrock, 6056 Fairview Road. Mr. Schonrock addressed the council regarding concerns of noise levels; road conditions; and speed, careless, reckless, and distractive driving. Mr. Schonrock has been taking sound readings since last summer on vehicles traveling on TH 210. Mr. Schonrock asked someone to take the initiative to look into the railroad noise exceeding federal levels. Mr. Schonrock explained if the police department does not have sound measuring tools, he would purchase them. Mr. Schonrock explained his conversation with Anderson Brothers regarding the condition of the City's roads. Mr. Schonrock further explained seal coating and crack filling does not fix the road problems. The money is not spent wisely. Mr. Schonrock asked the police department to step up and stop more vehicles to slow people down.

A resident explained the council is invited to his Briarwood Lane home on Sunday at 1:00 p.m. to see the environment and discuss geology.

Crow Wing County Sheriff Dahl explained he visits with each city council in Crow Wing County every year to highlight his department and answer any concerns residents may have.

CONSENT AGENDA

- A. Approve City Council Minutes from January 6, 2015
- B. Approve City Council Work Session Minutes from January 6, 2015
- C. Approve City Council Special Meeting Minutes from January 15, 2015 Briarwood Lane Improvement Hearing
- D. Approve City Council Special Meeting Minutes from January 15, 2015 Excelsior Road Improvement Hearing

- E. Approve the Payment of Bills and Finance Report
- F. Approve Resolution 2015-03 Ordering Improvement and Preparation of Plans for the 2015 Excelsior Road Improvement Project
- G. Approve Resolution 2015-04 Approving Plans and Specifications and Ordering Advertisement for Bids for the 2015 Excelsior Road Improvement Project
- H. Approve Resolution 2015-05 Ordering Improvement and Preparation of Plans for the 2015 Briarwood Lane Improvement Project
- I. Approve Resolution 2015-06 Receiving Feasibility Report and Calling Hearing on Improvement for the 2015 Dellwood Road and Novotny Road Improvement Project
- J. Adopt Ordinance 2015-01, Amending Chapter 11 to Extend a Sales and Use Tax and Motor Vehicle Excise Tax
- K. Approve Kennedy & Graven Conflict Waiver Related to Sales Tax Revenue Sharing Agreement
- L. Approve Request for Proposals for the Water Treatment Plant
- M. Approve Request for Proposals for Lift Station #3
- N. Approve Planning & Zoning Commission Minutes from January 13, 2015
- O. Accept Utilities Commission Minutes from January 7, 2015
 - 1. Approve the 2015 Sealcoat Project and direct staff to bid the project with Crow Wing County Highway Department – Bolton & Menk Memo
 - 2. Approve the WSN Proposal Amendment for Golf Course Drive Feasibility Study from Excelsior Road to Wolda Road in the amount of \$9,430.00
 - 3. Approve the WSN Agreement for Professional Engineering, Surveying and Construction Testing Services for Inglewood Drive from Trunk Highway 210 to Excelsior Road in the Not to Exceed amount of \$105,350.00
 - 4. Approve the WSN Proposal for Engineering Services for Lift Station No 7. Rehabilitation in the lump sum amount of \$9,150.00
- P. Approve Resolution 2015-09 Relating to Parking Restrictions on S.A.P. 230-106-002, Excelsior Road from Cypress Drive to the East City Limits, in the City of Baxter, MN

MOTION by Council Member Cross, seconded by Council Member Barrows to approve the consent agenda with the exception of agenda items I., N., O1, and O3. Motion carries unanimously.

PULLED AGENDA ITEMS

I. Approve Resolution 2015-06 Receiving Feasibility Report and Calling Hearing on Improvement for the 2015 Dellwood Road and Novotny Road Improvement Project

Council Member Holman asked to pull the agenda item to discuss the request for proposal ("RFP") process. Council Member Holman questioned if the cost of the project triggers an RFP, and if it does not, the City's negates the ability to RFP due to our financial process. Public Works Director/City Engineer Walter explained WSN was awarded the Dellwood contract prior to the City adopting an RFP policy. The Council discussed reasons to issue RPF for future projects. The Inglewood project can only be financed if it is combined with another project, such as this project.

MOTION by Council Member Holman, seconded by Council Member Cross to approve Resolution 2015-06 Receiving Feasibility Report and Calling Hearing on Improvement for the 2015 Dellwood Road and Novotny Road Improvement Project. Motion carries unanimously.

N. Approve Planning & Zoning Commission Minutes from January 13, 2015

Council Member Holman asked to pull the agenda item. The Planning & Zoning Commission is discussing new planned unit development ("PUD") language. Under the current ordinance, the applicant had to bring a site plan for council review and comment before the application went through the process with the other commissions. The Planning & Zoning Commission is looking to eliminate this language. Community Development Director Doty explained the PUD sketch plan remains built into the ordinance, which will be presented for council consideration in February. The revised ordinance is drafted so that the zoning administer can review the application and have the ability to forward the application to the council if there is information that should be ran past the council. Council Member Holman explained if the language states the application must be presented to the council first, it brings the council into preliminary discussions the council may not want to be involved with. The Council discussed the amount of involvement they would like in an application without a staff or commission recommendation. The current ordinance adds one additional meeting step that seems as if it should be eliminated. The Council discussed cost associated to a developer. Community Development Director Doty explained the revised ordinance is drafted as a middle approach.

MOTION by Council Member Holman, seconded by Council Member Barrows to approve Planning & Zoning Commission minutes from January 13, 2015. Motion carries unanimously.

O 1. Approve the 2015 Sealcoat Project and direct staff to bid the project with Crow Wing County Highway Department

Council Member Holman asked to pull the agenda item due to limited discussion during the work session. Council Member Holman explained he supports the general notion that residential streets should be removed from the citywide striping policy. An old subdivision ordinance required developers to strip residential streets in their development projects. The Council discussed moving the striping of Isle Drive to this year because of the Isle Drive extension project and to be consistent with striping Isle Drive. Public Works Director/City Engineer Walter explained the shoulders of Isle Drive could not be striped unless the right turn lane is removed. The Council discussed eliminating the striping of residential streets and striping Isle Drive this year. The Council discussed striping priorities for creating safe routs for school crossings.

MOTION by Council Member Holman, seconded by Council Member Cross to approve the 2015 Sealcoat Project with the removal of the residential streets and add Isle Drive and direct staff to bid the project with Crow Wing County Highway Department. Motion carries unanimously.

O3. Approve the WSN Agreement for Professional Engineering, Surveying and Construction Testing Services for Inglewood Drive from Trunk Highway 210 to Excelsior Road in the Not to Exceed amount of \$105,350.00

Council Member Holman asked to pull the agenda item.

MOTION by Council Member Holman, seconded by Council Member Barrows to approve the WSN Agreement for Professional Engineering, Surveying and Construction Testing Services for Inglewood Drive from Trunk Highway 210 to Excelsior Road in the Not to Exceed amount of \$105,350.00. Motion carries unanimously.

OTHER BUSINESS

Planning & Zoning Actions

Adopt Resolution No. 2015-07 Approving Findings of Fact, Ordinance No. 2015-02 and Summary Ordinance No. 2015-03 approving Zoning Ordinance Amendments to related to the city's fencing and parking regulations

Community Development Director Doty explained the ordinance, which relates to fencing is silent to barbwire fencing, meaning barbwire fencing is not allowed. The Council discuss existing barbwire fencing on a property, when annexed into the city, is considered a legal non-conforming use. Existing garage parking requirements did not reflect the City's practice. The current ordinance requires a four-plex to have four garages. Changes to the ordinance would allow one garage for every two units. Single family and senior housing is not addressed by the ordinance changes.

MOTION by Council Member Cross, seconded by Council Member Barrows to adopt Resolution No. 2015-07 Approving Findings of Fact, Ordinance No. 2015-02 and Summary Ordinance No. 2015-03 Approving Zoning Ordinance Amendments Related to the City's Fencing and Parking Regulations. Motion carries unanimously.

Adopt Resolution No. 2015-08 Approving Findings of Fact, Ordinance No. 2015-04 and Summary Ordinance No. 2015 -05 approving City Code Amendments to the Individual Sewage Treatment System regulations

Community Development Director Doty explained the ordinance relates to subsurface sewerage treatment. The MPCA has updated their regulations and under state statute, if a local government elects to regulate, as Baxter does, the City needs to adopt an ordinance as strict as or stricter than the county's ordinance. The proposed ordinance is very similar to the county ordinance. Community Development Director Doty reviewed some of the changes and explained staff and the Planning & Zoning Commission are recommending approval.

MOTION by Council Member Barrows, seconded by Council Member Holman to adopt Resolution No. 2015-08 Approving Findings of Fact, Ordinance No. 2015-04 and Summary Ordinance No. 2015 -05 approving City Code Amendments to the Individual Sewage Treatment System regulations. Motion carries unanimously.

Approve 2015 City Wide Striping

Public Works Director/City Engineer Walter explained the streets indicated in yellow on the map are budgeted for 2015 striping. The Council discussed striping minor and major collector's streets and removing Grand Oaks, Flintwood, and Firewood Drive. Staff needs to draft a striping policy.

MOTION by Council Member Cross, seconded by Council Member Barrows to approve the 2015 City Wide Striping with the removal of Grand Oaks, Flintwood, and Firewood Drive. Motion carries unanimously.

COUNCIL COMMENTS

Todd Holman: Council Member Holman explained that due to the holiday on Monday he was not able to ask staff questions related to the consent agenda items he requested to be pulled. Council Member Holman explained the public hearing process for the Comprehensive Plan is conducted through the Long Range Planning commission. When the Comprehensive Plan is presented to the Council, the discussion will not be a repeat of the Long Range Planning Commission process. Council Member Holman encouraged the council to read the document. Council Member Holman explained communication is a place for the City to work on going forward by adding a standing communication commission. The establishment of a communication commission could be discussed during a work session. Council Member Holman also explained there is a need to create a bike safety and road design commission or incorporate such into the Utilities Commission. Council Member Holman would like to set a date during the next work session to conduct the annual city administrator review for a date in March.

Mark Cross: Council Member Cross explained he would miss the first council meeting in February due to a scheduling conflict with his work schedule.

Darrel Olson: Mayor Olson explained the Council has been updated on what he is about to discuss. Mayor Olson stated he worked for Crow Wing County for 25 years prior to his retirement in 2013. As his retirement neared, he met with the Public Employees Retirement Association of Minnesota ("PERA") for an out briefing. Mayor Olson further explained it is recommended to meet with PERA prior to retirement. The outcome of the PERA meeting was everything was in order to facilitate a smooth retirement. Based on this assurance, Mayor Olson explained he retired on April 1, 2013. A few months ago, Mayor Olson explained he received a letter from PERA explaining he had an erroneous retirement because he did not have a 30-day separation from his Crow Wing County position and his elected position of mayor. Mayor Olson attempted to explain to PERA he never worked for the City of Baxter, but rather for the citizens who elected him. PERA threatened to withhold any further retirement payments and require back pay of all benefits received since April 2013 if Mayor Olson does not resign by January 30. Therefore, Mayor Olson explained he would be resigning as mayor of Baxter as of 11:59 p.m. on January 20, 2015. Council Member Holman will continue in his duties as acting mayor. After 30-days, Mayor Olson explained he would like to rejoin the council.

Assistant City Administrator Steele read Resolution 2015-10 Regretfully Accepting the Resignation of Mayor Darrel Olson.

MOTION by Council Member Barrows, seconded by Council Member Holman to approve Resolution 2015-10 Regretfully Accepting the Resignation of Mayor Darrel Olson. Motion carries unanimously.

CITY ADMINISTRATOR'S REPORT

City Administrator Heitke explained the Council needs to be aware of engineering creep. City Administrator Heitke presented a chart outlining the status of various construction projects. City Administrator Heitke further explained he will begin a medical leave on Wednesday and Assistant City Administrator Steele will monitor his emails and phone calls.

CITY ATTORNEY'S REPORT

Discussion of Land Acquisition Negotiations. *Closed Session under MN Statute 13D.05, Subd. 3(c)(3) to develop an offer for the purchase of real property.*

Labor Contract Negotiations. *Closed Session under MN Statute 13D.03*

City Attorney Person asked the Council to enter into a closed session under Minnesota Statute 13D.05, subd. 3(c)(3) to develop an offer for the purchase of real property and to enter a closed session under Minnesota Statute 13D.03 to discuss labor contract negotiations.

MOTION by Council Member Cross, seconded by Council Member Holman to enter into a closed session at 8:29 p.m. Motion carries unanimously.

MOTION by Council Member Cross, seconded by Council Member Barrows to return to the open meeting at 11:13 p.m. Motion carries unanimously.

Upon returning to the open meeting, City Attorney Person explained there is no action to be taken by the Council for the three land negotiations discussions. City Attorney Person further explained labor contract discussions would continue and no action is required at this time.

ADJOURNMENT

MOTION by Council Member Cross, seconded by Council Member Nystrom to adjourn the meeting at 11:14 p.m. Motion carries unanimously.

Approved by:

Respectfully submitted,

Todd Holman
Acting Mayor

Kelly Steele
Assistant City Administrator

BAXTER CITY COUNCIL MINUTES

Work Session

January 20, 2015

Mayor Darrel Olson called the City Council Work Session to order at 6:00 p.m.

MEMBERS PRESENT: Mayor Darrel Olson and Council Members Quinn Nystrom, Steve Barrows, Todd Holman, and Mark Cross

MEMBERS ABSENT: None

STAFF PRESENT: City Administrator Gordon Heitke, Assistant City Administrator Kelly Steele, Finance Director Jeremy Vacinek, Community Development Director Josh Doty, and Public Works Director/City Engineer Trevor Walter

Excelsior Road Plans and Specs

Scott Hedlund, SEH, Inc., explained he is seeking council approval of the Excelsior Road improvement project plans and specs. The Minnesota Department of Transportation recently approved the plans. The council will also be asked to consider a resolution indicating parking will not be allowed along Excelsior Road during construction; parking is normally prohibited along Excelsior Road. Mr. Hedlund explained highlights from each of the project plan sheets. The zebra stripes as indicated in the plans will be removed from the final set. Public Works Director/City Engineer Walter questioned if no parking signs were missing for the plans. Mr. Hedlund explained the state did not indicate any signs were missing in their review comments. Any signs that are missing can easily be added to the plans. Mr. Hedlund assured the council he is making progress on right-of-way land acquisition negotiations. Provided the council approval, Excelsior Road bids will be opened on February 17, 2015. The assessment hearing would be held in March and the project would be awarded in May.

Dellwood/Novotny Feasibility Report

Aric Welch, WSN, explained the feasibility study is relative to extending municipal sanitary sewer collection, municipal water distribution, roadway, and storm sewer improvements to Dellwood Drive and Novotny Road. The project area zoning is Regional Commercial (C2) and the draft Comprehensive Plan shows the land use remaining as C2.

Dellwood Drive is a 24' wide bituminous surfaced roadway constructed prior to 1978. The roadway is currently on the Municipal State Aid System. The Pavement Management Plan rates Dellwood Drive as a three, indicating the roadway is in poor condition. The recommended improvements indicate the roadway should be updated via full-depth reclamation.

Novotny Road is also a 24' wide bituminous surfaced roadway constructed prior to 1978. The roadway is currently on the Municipal State Aid System. The Pavement Management Plan rates the roadway as a three, meaning the roadway is in poor condition. The east half of Novotny Road has a rating of five, or is in fair condition. Recommended improvements indicate the west

half of the roadway should be updated via full-depth reclamation and the east half updated via a 2" mill and overlay. The roadway segment on the west end at the connection with TH 371 only requires a seal coat.

The Council discussed the process and the location of utilities that would have to be moved if the council moves forward with the project.

The total estimate project cost is \$1,158,880. Mr. Welch reviewed preliminary assessment calculations and explained the assessments were calculated by the per foot. The Council discussed the process to get a building permit without plating. The current parcels were annexed into the city under the county's zoning standards. The City would complete the Dellwood Drive and Novotny Road project along with the Inglewood project to include in one bond issue. The project area is not associated with the county grant.

Mr. Welch explained the improvements as proposed are feasible and no major construction obstacles were noted. Conflicts with underground utilities in developed areas such as this can become a real problem. Mr. Welch recommends utility companies be informed of the project as soon as possible so any potential conflicts can be dealt with during the design phase and prior to construction. A preliminary project schedule was reviewed.

2015 Seal Coat Project and 2015 City Wide Striping

Public Works Director/City Engineer Walter explained since the council has reviewed the project, the Lynndale areas have been removed from the project scope and Cedar Scenic has been added. Each street proposed to be chip sealed was discussed. Some cities contract with a traffic engineer to review roadway striping as each street is planned for a mill and overlay rather than reviewing an entire city at one time. The Council discussed being consistent with striping. The League of Minnesota Cities recommends the city is consistent and follows the state manual. The striping of sidewalks is only required at uncontrolled intersections. City Administer Heitke explained few cities have a striping policy, but in the absence of a policy, the council has provided some direction to staff. Findings indicate that many cities do not stripe residential streets. If the City of Baxter decides to continue striping residential streets, criteria needs to be developed. The 2015 proposed striping budget is approximately \$29,000. Latex paint will last up to three years; epoxy paint will last much longer. The council discussed some streets have fog lines. From around 2002, the city striped centerlines on all residential streets.

MOTION by Council Member Cross, seconded by Council Member Barrows to adjourn at 6:49 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Todd Holman
Acting Mayor

Kelly Steele
Assistant City Administrator/Clerk

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2015-11**

**A RESOLUTION RELATING TO PARKING RESTRICTIONS ON INGLEWOOD
DRIVE FROM EXCELSIOR ROAD TO TRUCK HIGHWAY 210, IN THE CITY OF
BAXTER, MINNESOTA.**

WHEREAS, THIS RESOLUTION was passed this 3rd day of February 2015, by the City of Baxter in Crow Wing County, Minnesota. The Municipal Corporation shall hereinafter be called the "City"; and

WHEREAS, the City, has planned the improvement of Inglewood Drive, State Aid Route No. 107 from Excelsior Road to Trunk Highway 210 in the City of Baxter, Minnesota; and

WHEREAS, the City may be expending Municipal State Aid Street Funds on the improvements of this Street; and

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a Municipal State Aid Street project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA:

The City shall ban the parking of motor vehicles on both sides of Inglewood Drive from Excelsior Road to Trunk Highway 210 at all times.

Whereupon, said Resolution is hereby declared adopted on this 3rd day of February, 2015.

Todd Holman, Acting Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2015-12**

**A RESOLUTION RELATING TO PARKING RESTRICTIONS ON NOVOTNY ROAD
FROM TRUNK HIGHWAY 371 TO DELLWOOD DRIVE, IN THE CITY OF BAXTER,
MINNESOTA.**

WHEREAS, THIS RESOLUTION was passed this 3rd day of February 2015, by the City of Baxter in Crow Wing County, Minnesota. The Municipal Corporation shall hereinafter be called the "City"; and

WHEREAS, the City, has planned the improvement of Novotny Road, State Aid Route No. 114 from Trunk Highway 210 to Dellwood Drive in the City of Baxter, Minnesota; and

WHEREAS, the City may be expending Municipal State Aid Street Funds on the improvements of this Street; and

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a Municipal State Aid Street project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA:

The City shall ban the parking of motor vehicles on both sides of Novotny Road from Trunk Highway 371 to Dellwood Drive at all times.

Whereupon, said Resolution is hereby declared adopted on this 3rd day of February, 2015.

Todd Holman, Acting Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2015-13**

**A RESOLUTION RELATING TO PARKING RESTRICTIONS ON DELLWOOD
DRIVE FROM NOVOTNY ROAD TO WHISPERING WOODS LANE, IN THE CITY
OF BAXTER, MINNESOTA.**

WHEREAS, THIS RESOLUTION was passed this 3rd day of February 2015, by the City of Baxter in Crow Wing County, Minnesota. The Municipal Corporation shall hereinafter be called the "City"; and

WHEREAS, the City, has planned the improvement of Dellwood Drive, State Aid Route No. 116 from Novotny Road to Whispering Woods Lane in the City of Baxter, Minnesota; and

WHEREAS, the City may be expending Municipal State Aid Street Funds on the improvements of this Street; and

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a Municipal State Aid Street project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA:

The City shall ban the parking of motor vehicles on both sides of Dellwood Drive from Novotny Road to Whispering Woods Lane at all times.

Whereupon, said Resolution is hereby declared adopted on this 3rd day of February, 2015.

Todd Holman. Acting Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal

REQUEST FOR COUNCIL ACTION

02.03.2015

Department Origination: Administration

Agenda Section: Consent

Agenda Item: Approve Agreement between Minnesota State Colleges and Universities, Central Lakes College, and the City of Baxter for Student Supervised Pre-Internship Training

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

The City's Parks and Trails Division is seeking Council approval to participate in the Central Lakes College ("CLC") Occupational Skills Program. The Occupational Skills Program provides post-secondary, employment "soft skills" training for persons with mild to moderate disabilities. The City is to provide training where the student can learn and develop skills and qualifications needed to achieve occupational goals while assisting in the development of trained personnel to meet future area employment needs.

One student will work with the Parks and Trails Division every Tuesday and Thursday from 9:15 a.m. to 3:30 p.m. through May 12, 2015. The City is not required to compensate the student for the service.

FINANCIAL IMPLICATIONS

There are no financial implication to the City for approving the agreement and participating with this program.

STAFF RECOMMENDATION

Staff recommends Council approve the agreement.

COUNCIL ACTION REQUESTED

Motion to approve the Agreement between Minnesota State Colleges and Universities, Central Lakes College, and the City of Baxter for Student Supervised Pre-Internship Training.

Attachment:

1. Memorandum of Agreement for Student Supervised Pre-Internship Training

MINNESOTA STATE COLLEGES AND UNIVERSITIES

Central Lakes CollegeMEMORANDUM OF AGREEMENT
FOR STUDENT SUPERVISED PRE-INTERNSHIP TRAINING

This Agreement is made between the State of Minnesota acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Central Lakes College, Brainerd, Minnesota (the "College") and Baxter Parks & Trails (the "Facility"). This Agreement, and any written changes and additions to it, shall be interpreted according to the Laws of the State of Minnesota.

The purpose of the Memorandum of Agreement is to outline the terms of the internship experience for the student of the College and to identify the responsibilities of the College, the Facility, and the Students.

A. THE PARTIES UNDERSTAND THAT:

1. Central Lakes College has a course offering of Occupational Skills Program for qualified students enrolled in the College; and
2. The College has been given authority to enter into Agreements regarding academic programs; and
3. The Facility has facilities for providing a suitable training experience that meets the educational needs of students enrolled in the Program of the College; and
4. It is in the general interest of the Facility to provide a training site where College students can learn and develop skills and qualifications needed to achieve the student's occupational goals and satisfy the Program requirements while assisting in the development of trained personnel to meet future area employment needs; and
5. The College and Facility want to cooperate to furnish a training experience for student of the Occupational Skills Program.

B. RESPONSIBILITIES OF EACH PARTY**1. The College agrees to:**

- a. make arrangements with the Facility for a training experience that will support the student's occupational goals and meet any applicable Program requirements.
- b. make periodic visits to the Facility's training site to observe the student or receive periodic reports from the Facility and/or the student, and discuss the student's performance and progress with the student and any site supervisor at the Facility, as needed.
- c. discuss with the facility any problems or concerns arising from the student's participation.
- d. notify the Facility in the event the student is no longer enrolled in the Program at the College.
- e. keep any necessary attendance and progress records as set forth in the College attendance policy.
- f. assist in the evaluation of the student's performance in the training experience.

2. The Facility agrees to:

- a. cooperate with the College in providing a mutually agreeable training experience at the Facility that supports the student's educational and occupational goals.
- b. consult with the College about any difficulties arising at the Facility's training site that may affect the student's participation.
- c. assist in the evaluation of the student's performance and provide time for consultation with the College concerning the student, as needed.
- d. Initial the daily attendance report to verify the student's attendance.
- e. The student will not displace any worker at the internship site.

3. **LIABILITY**

Each party agrees that it will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of the other party and the results thereof. The College/University's liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes, Section 3.3732 et seq., and other applicable law.

4. **TERM OF AGREEMENT**

This Agreement is in effect from 1/13, 2015 or when fully executed and shall remain in effect until 5/12, 2015. This Agreement may be terminated by giving at least seven (7) days advance oral notice to the other parties, with a follow up letter delivered to the other party on or before the actual termination date confirming termination.

5. **FINANCIAL CONSIDERATION**

- a. The College and the Facility each agree to bear their own costs associated with this Agreement and that no payment is required by either College or the Facility to the other party.
- b. The Facility is not required to reimburse the College faculty or students for any services rendered to the Facility or its customers pursuant to this Agreement.

6. **CHANGES OR ADDITIONS TO THE AGREEMENT**

Any changes or additions to this Agreement must be in writing and signed by authorized representatives of each party.

7. **ASSIGNMENT**

Neither the College nor the Facility shall assign or transfer any rights or obligations under this Agreement without first obtaining the written consent of the other party.

8. **AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE**

The Facility agrees that in fulfilling the duties of this Agreement, the Facility is responsible for complying with the Americans with Disabilities Act, 42 U.S.C. Chapter 12101, et seq., and any regulations promulgated to the Act. The College IS NOT responsible for issues or challenges related to compliance with the ADA beyond its own routine use of facilities, services, or other areas covered by the ADA.

9. **MINNESOTA GOVERNMENT DATA PRACTICES ACT**

The State of Minnesota has laws (the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 "The Act.") that classify the College's written and electronic information as public, private or confidential. Except as otherwise provided in law or College policy, data on students is private and may not be shared with any other party. If the Facility receives a request from a third party for any data provided to the Facility by the College, the Facility agrees to immediately notify the College. The College will give the FACILITY instructions concerning the release of the data to the requesting party before the data is released and the Facility agrees to follow those instructions.

10. **STUDENT TRAINING EXPERIENCE/INTERNSHIP AGREEMENT**

The student assigned to internship at the Facility shall be required to sign a Student Training Experience/Internship Agreement Sample of the document is attached.

In signing this Memorandum of Agreement, we agree to work together to assist the student in learning and/or applying the tasks and skills identified. We understand that the Individualized Training Plan for the student can be modified or dissolved at any time upon the mutual agreement of the Facility and Colleg.

Facility

Authorized Facility Representative

Representative
Signature _____

Title _____

Date: _____

Central Lakes College

Patty Sloan
Authorized College Representative

Representative
Signature Patty Sloan

Title: OSP Coordinator

Date: 1/13/15

Dean: Mary Sam

MnSCU.ogc.5.07

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ATTACHMENT A
STUDENT SUPERVISED PRE-INTERNSHIP AGREEMENT

Entry Level Job Title: Parks & Trails Assistant

Internship Site: Baxter Parks & Trails

Facility Address: 4070 Mapleton Rd
Baxter, MN 56425

Facility Representative's Name: Roy Rauen

Phone #: 218-454-5085, 218-839-1761

Dates of Training/Internship:

1/13/15 ~ 5/12/15

Student's Name: Lucas Nielsen

Phone #: 320-304-3378

Average number of hours to be worked by the Student each week:

12

Activities/Job tasks and skills the Student will learn:

The student will learn to:

1. Clean up brush
2. flood ice Rinks
3. Rake
4. plow / shovel snow
5. pick up garbage at parks
6. detail trucks
7. Minor equipment repair
8. Brush cutting, weed whip
9. Chalking fields

The student will use the following tools and equipment:

1. weed whip
2. trimmers
3. back pack blower
4. Rake
5. electric carts

Safety Concerns at this business:

1. Dress for weather
2. Follow directions
3.
4.

STUDENT RESPONSIBILITIES

In exchange for the opportunity to participate in the internship at the Facility, the Student agrees to:

1. Keep regular attendance and be on time, both at school and at the Facility's training site. The Student will notify the lab assistant then receive direction regarding communication with the Facility's training site if unable to report at least 2 hours before shift begins.. The Student's placement will automatically terminate if the student terminates his/her enrollment in the Program is no longer enrolled as a student at the College or has excessive absences at the internship site.
2. Demonstrate honesty, punctuality, courtesy, a cooperative attitude, desirable health and grooming habits, desirable/required dress and a willingness to learn; work to the best of my ability and
3. Furnish CLC Lab Assistant with all necessary information and complete all necessary reports requested. Submitting falsified reports is cause for immediate expulsion from the Program; and
4. Conform to all rules, regulations, and policies including health, safety, and work environment of the Facility, follow all instructions given by the Facility and always conduct myself in a safe manner; and
5. Consult with the College lab assistant about any difficulties arising at the Facility's training site; and
6. Be present at the Facility's training site on the dates and for the number of hours agreed upon; and
7. Not terminate his/her participation in the training experience at the Facility without first consulting with the College lab assistant.

The Student also understands and agrees that:

- a. placement and participation in this training experience is not employment with the College or Facility;
- b. the student is not covered by the College worker's compensation coverage; and
- c. the student will not receive any money or compensation or benefits of any kind from the College in exchange for his/her participation in the training experience.

The Student also understands that the Facility does not promise or guarantee any future employment for the student.

The Student understands that he/she is responsible for providing his or her own health insurance and for any and all medical expenses incurred by him/her related to any injury, loss or illness sustained by him/her while participating in the training experience at the Facility.

Student's Signature: Lucas Niesen Lucas Niesen

Student's Name (please print).

Lucas Niese

Date: 1/13/15

Name of Student's Guardian (please print):

Guardians' Signature:

Date:

Central Lakes College: Part of the Minnesota State Colleges and Universities system, is an Equal Opportunity employer and educator.

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LONG RANGE PLANNING COMMISSION MEETING
January 26, 2015

The Long Range Planning Commission meeting was called to order at 6:00 p.m. by Chair Donnay.

MEMBERS PRESENT: Chair Kevin Donnay, Commissioners Mark Cross, Rock Ylimeini, Bob Ryan, Jim Kalkofen, Cathy Clark and Council Liaison/Mayor Todd Holman

MEMBERS ABSENT: Lori Rubin

STAFF PRESENT: Community Development (CD) Director Josh Doty

OTHERS: Tom Rutske, Shawn Sunnarborg, Nathan Hall, Jeff Sell, Steve Barrows, Dennis Klohs, Kevin Kielbauch and Davis Lange

Approval of Minutes

Motion by Commissioner Cross, second by Commissioner Ryan to approve the minutes of the November 24, 2014 meetings. Motion carried unanimously.

Public Hearing: Zoning Ordinance Amendments related to Planned Unit Development (PUD) Regulations

Chair Donnay opened the public hearing at 6:02 pm and asked CD Director Doty to present the changes to the regulations. These changes would remove the conditional use permit approval process for a PUD and would replace it with an ordinance approval, which is effectively a rezoning. The proposed PUD ordinance would be in Article L of the zoning ordinance. CD Director Doty walked the Commission through the changes and the reasons for the changes. This update gives the City more discretion in reviewing a PUD request. The changes also created a 3-step approval process. He reviewed the steps with the Commission and asked if there were any questions, there were none.

Chair Donnay asked if there was anyone in attendance that had any comments or concerns.

Mr. Jack Perry, representing Baxter Mainstream stated that at the last meeting he had requested six different changes to the comprehensive plan. The comprehensive plan and the PUD regulations work hand in hand with each other. Mr. Perry explained that he understands the City wanting maximum discretion with the PUD regulations, however the 3-step process is extremely expensive and could cost a person \$100,000.00's of thousands of dollars and not know if it is going to be approved by City Council. Mr. Perry stated that he hoped his changes would have been considered by the City Attorney. He stated that the City Attorney had not returned his calls or his suggestions. He stated that CD Director Doty was very forth coming and returned his calls, including on his drive up from the cities this evening. His concern is not having any criteria in the PUD regulations. Mr. Perry's understanding is that there was going to be some criteria in the regulations. He stated this PUD process does not work for his client or the City. There is no attempt by the City to meet in the middle. CD Director Doty stated that the PUD ordinance is related to the comprehensive plan update, but that we need to have them as two separate items on the agenda.

Chair Donnay closed the public hearing at 6:10 pm.

Chair Donnay stated that he was comfortable knowing that the Planning and Zoning Commission has reviewed the revised regulations. Commissioner Kalkofen asked if there were other 3-step processes. CD Director Doty

stated that the platting process is somewhat similar. He said that does not see that the new ordinance ~~would~~^{will} include more process than the current process. He added that the sketch process is there for developers to bring their project forward to get feedback before they spend money for the PUD general plan application. The ordinance adds a PUD final plan process but staff would approve that administratively prior to the building permit. Commissioner Ylimeini asked if the Gateway District was driving this ordinance change. CD Director Doty indicated that this update has be on the "to do" list for some time. Staff decided to hold the revision back until the comprehensive plan update was completed to ensure that the regulations were cohesive. However, after receiving the request to allow a PUD option for Business Gateway, staff decided to bring this ordinance forward before the Comprehensive Plan update is completed. Commissioner Ylimeini stated that he did not agree with the Gateway District on the south side of 210 with the railroad being there on the south side of 371. He felt that it puts too much of a burden on the landowners.

Commissioner Cross stated he is comfortable pulling the PUD regulations out and making it a separate article in the zoning regulations. He has worked in other cities that have done the same thing and it has worked. Commissioner Kalkofen asked Commissioner Cross to explain making this regulation separate for previous approvals. Commissioner Cross explained the current procedure and how this will differ the procedure moving forward.

Mr. Perry stated that CD Director Doty compared this process to that of platting. In the platting process there is time lines of 60 days given and extensions, this process has no time frames/limits. Mr. Perry stated that the 3-step process could not be done in 60 days.

Motion by Commissioner Ryan, second by Commissioner Clark to recommend City Council approve the zoning ordinance text amendment related to Planned Unit Development regulations. Motion carried unanimously.

Comprehensive Plan Update-Letter from Jack Pine Brewery

CD Director Doty stated that the owner of the brewery is in favor of the Business Gateway district and would like brewery's to be allowable in the Business Gateway District, as his business has mix of industrial and retail use. The Commission had no questions or comments.

Public Hearing Continued-Baxter Comprehensive Plan

Chair Donnay opened the public hearing portion of the meeting at 6:19 pm for any comments or questions.

Mr. Shawn Sunnarborg representing Potlatch stated that Potlatch is not in favor of the Business Gateway District and cannot support the comprehensive plan update. He stated that none of the changes that they have requested since August have been acknowledged or responded to. Mr. Sunnarborg stated that their concerns will be taken to the council where they hope changes can be made.

Mr. Jack Perry, Baxter Mainstream stated that he appreciated Commissioner Cross's explanation of the PUD process. He stated that he would have to re-zone the property to a PUD, yet there is no criteria for the rezoning to PUD. He stated that it is legally wrong to not have any criteria.

Chair Donnay closed the public hearing portion of the meeting at 6:25 pm

CD Director Doty informed the Commission of the changes made in the Parks chapter of the comprehensive plan. He added that the Long Range Planning Commission hasn't seen the changes because they were recommended by the Parks and Trails Commission right before this meeting. Commissioner Kalkofen reviewed the some of the changes that the Parks and Trails Commission recommended to the Parks Implementation Plan.

Commissioner Clark stated that her understanding is this comprehensive plan is a long range document. CD Director Doty confirmed that it is a long range document. He further stated that some of the issue here is that redline changes that are being requested are typically more of an ordinance level discussion than with a comprehensive plan. CD Director Doty stated that the City Attorney has reviewed the comprehensive plan. Mr. Perry stated that in 2005 the Supreme Court changed the regulations in a case called Mendota Golf when the regulations changed the comprehensive plan to be the Bible, not the ordinances. He stated the criteria needs to be in the comprehensive plan not the ordinances. That is why he gave the six suggestions.

Commissioner Ylimeini asked if the types of buildings that are allowed to go into the Business Gateway District is going into the comprehensive plan or ordinance? Commissioner Ylimeini was referring to the Jack Pine Brewery letter. CD Director Doty stated that would be part of the future zoning ordinance discussion for business gateway and does not need to be determined with the comprehensive plan. Mr. Doty added that the intent of the letter was likely to get on record as part of the Comprehensive Plan Update process so we are aware of what he would like to see happen.

Motion by Commissioner Ryan, seconded by Commissioner Clark to recommend approval of the comprehensive plan update with the amendments to the Parks portion of the comprehensive plan and City Attorney's redline changes and that the City Attorney review the Long Range Planning Commission meeting tape.

Chair Donnay asked when the comprehensive plan is going in front of the Council. CD Director Doty stated February 5, 2015 would be the first time the City Council could review the plan, however he is not expecting that it be on the regular agenda for approval at that meeting. He further explained that Council needs time to review the plan.

Motion carried with Commission Ylimeini apposed.

City Land Sale-Corner of Forthun Rd. & Isle Dr.

CD Director Doty stated that Exit Realty is preparing a development application for a new office development. CD Director Doty showed the map of the location. The idea of a land swap was raised during initial meetings with the developer and city staff. Before the City Council can consider a land sale, the Long Range Planning Commission must review the land sale to determine if it is consistent with the City's Comprehensive Plan. The land swap would allow for additional impervious for the developer for the amount of land the city would get as additional right of way. CD Director Doty stated that with a land swap, a variance would not be needed. Staff is recommending the land swap in order to receive additional right of way, as it is consistent with the city's long range transportation goals. Commissioner Ylimeini stated it was a fair swap and good for all parties.

Motion by Commissioner Ylimeini, seconded by Commissioner Kalkofen to recommend City Council approve the City land sale at the corner of Forthun Rd. and Isle Dr. Motion carried unanimously.

CD Director Doty stated that this item will not be scheduled for review by the City Council until the developer submits their formal development application. Staff is expecting to see the proposed development next month.

Approved Meeting Dates for 2015/Next Meeting

CD Director Doty explained that a publication of all meetings is required, this is a formality.

Motion by Commissioner Ryan, seconded by Commissioner Ylimeini to approve the meeting dates for 2015. Motion carried unanimously.

The next meeting is scheduled for February 23, 2015 at 6:00 p.m.

-24-

Adjournment

Motion by Commissioner Cross, second by Commissioner Ylimeini to adjourn the meeting at 7:07 p.m.

Approved By:

Chair Kevin Donnay

Submitted By:

Shanna Newman
CD Technical Clerk

PARKS & TRAILS COMMISSION MINUTES
January 26, 2015

Chair Kalkofen called the regular meeting of the Baxter Parks and Trails Commission to order at 4:00 p.m.

MEMBERS PRESENT: Chair Jim Kalkofen, Commissioner Mari Holderness, Ken Hasskamp Lori Thramer, Gail Brecht and Council Liaison Quinn Nystrom.

MEMBERS ABSENT: None

STAFF PRESENT: Community Development (CD) Director Josh Doty

OTHERS PRESENT: Steve Barrows

Chair Kalkofen welcomed Council Liaison Nystrom to the Parks and Trails Commission. He asked her to tell the Commission about herself. Council Liaison Nystrom gave her educational and professional background. She informed the Commission that she grew up ice skating at LT Park. Council Liaison Nystrom stated that she is excited to serve on City Council and the Parks Commission.

Approval of the Minutes

Commissioner Brecht noted that she is on an advisory board and not the County board as indicated in the minutes.

MOTION by Commissioner Brecht, seconded by Commissioner Holderness to approve the regular meeting minutes of November 24, 2014 as presented. Motion carried unanimously.

Jewelwood Park Update

CD Director Doty stated that the Council discussed this park at a council workshop. He said that the City Council would like to see the comprehensive plan move forward before Jewelwood Park is decided. He stated that city council the implementation plan was interested to know how projects would rank within each priority list. CD Director Doty stated that the City Council did not say no to Jewelwood park off, but that they wanted to be able to review the Parks Plan first.

Comprehensive Plan Update

Parks Plan Updates

CD Director Doty noted that the majority of the updates were small and then explained a few of the more substantive items. On page 4 was the addition of the boat landing column. On page 5 was the correction of the trail name for Fitquest and the correct name is Cragun's Nature Learning Trail. The Commission had discussion about the wording of the Cragun's trail and in the end decided to leave it as is. CD Director Doty noted that eventually this trail will need to be looked at to get all parties involved in the future. Commissioner Brecht agreed that a meeting should take place to see how to manage the trail system. It was decided to place Fitquest in parenthesis behind the correct name. He also noted that Riverview is now paved and may not be considered passive. Commissioner Brecht stated that it is a destination park and should remain passive even if it is paved. After the Commission reviewed the meaning of passive trails, it was decided to remove Riverview from the passive category.

CD Director Doty stated that on page 10 there was the addition of a column regarding the pavilions and evaluating the structures. Staff has done an evaluation of the OK pavilions with a structural engineer and just received the report today. The report will be provided at the next meeting once staff has had time to review it more thoroughly. CD Director Doty stated that glancing at the report, there were some areas of the pavilions that needed to be reviewed and repairs might be needed. However, we also need to consider if the repairs would be ongoing, then it may not be cost effective to make repairs. Staff will need to recommend which repairs should be made if any and present that to the Commission at their next meeting. Chair Kalkofen asked if it was only the OK pavilions that had been reviewed. The city reviewed two Pavilions at OK park and one at LT park. Chair Kalkofen asked if an estimate would be given going forward. CD Director Doty stated that once staff looks at the repairs or replacement costs, this information would eventually come to the Commission. CD Director Doty turned to page 13, the Parks and Trails system map, he indicated the change needed for the Paul Bunyan Trail. He also noted the changes to the legend to make it more accurate. CD Director Doty stated the snowmobile clubs asked that the snowmobile routes are noted on the trail map. He further explained the locations of the current snowmobile routes. Chair Kalkofen asked what the Paul Bunyan State Trail Safety Re-Route Options was on the legend. CD Director Doty stated the Glory Road crossing is dangerous and so the plan identifies three potential safety re-routes for the trail. Having this in the plan is important should funding become available. Chair Kalkofen asked how this could affect development in those areas. CD Director Doty stated that if a developer came in and presented a project, at that time staff would recognize that area as a potential safety re-route location and try to work with property owners. Commissioner Holderness asked if all of the lots sold by the boat landing on Whipple. CD Director Doty stated that the lot next to the boat landing sold and a house would be built there. There is one or two other lots but the idea was to blend a potential park with the boat landing so it no-longer makes sense.

Implementation Periodization

CD Director Doty stated that City Council had asked the Commission to prioritize projects within each "short" "mid" and "long" term categories. Chair Kalkofen stated that is a little difficult being there is no knowledge of the cost and that some items are waiting on feasibility studies. In addition, we don't know what the needs are for repair to existing pavilions. Commissioner Holderness stated that if the pavilions need repair due to safety issues than that needs to be the first priority list. The Commissioners all agreed on the pavilions needing to be a priority. Commissioner Brecht stated that there are other persons/groups that have interests and potential grants for projects that could change the dynamics of a priority list.

The Commission decided that No. 7 on the trails has been approved and should have no color behind it. Commissioner Brecht asked if No. 12 was a safe routes to school grant. CD Director Doty stated yes and that it was the segment that connected Forestview to Mississippi Overlook Park. Councilman Barrows explained that he had asked for ranking of the short term items to understand what is the higher priority. The Commission understood his requested, however noted that priority lists do change. The Commission decided to rate the top 10 short list items.

Commissioner Holderness stated that a few priorities were the sand blowing at Whipple Beach, Jewelwood Park and safety issues should come first. Commissioner Brecht agreed that the safety items such as OK park pavilions needed to take first priority. The Commission agreed. Commissioner Brecht asked how the trails are inspected. CD Director Doty stated that the Parks Department is always looking at the trails and citizens also call in items if they see something.

The Commission reviewed the existing park improvements list. The Commission agreed that the pavilions were top priority. It was decided that at OK park the trails and practice field would be moved to "mid" and evaluating park accessibility and a joint powers agreement were moved to "ongoing". Chair Kalkofen asked that the word "safety" be added behind the tennis courts. The Commission asked that a meeting with the joint powers gets set-up prior to the end of the year.

The Commission moved onto LT park and moved the ice skating rink to "mid" and asked that "safety" is added behind evaluate pavilion. Commissioner Brecht asked about the safety of the pavilion. CD Director Doty indicated that there may be some bracing issues and that there are major issues with one portion of the roof. However, overall this pavilion seemed to be in good shape. The trail portion was removed as it was believed to be completed.

The Commission moved onto Whipple and noted that the ADA observation area was in the 2015 budget. The accessible playground was moved to "ongoing". Commissioner Hasskamp asked about disc golf. Commissioner Holderness would like to see the disc golf incorporated for the 20-30 year old residents. CD Director Doty stated that the Commission had previously decided that disc golf was not a priority at this time. The Commission asked if they could see a cost analysis of the LED lighting project.

The Commission decided to move evaluate park accessibility for Southdale and Berrywood to "ongoing".

The Commission looked at the new/expansion list and decided that Jewelwood park needed to remain priority. Mississippi Overlook park they removed signage and moved the parking lot and access improvement to "ongoing".

The Commission looked at the trails and moved the 371 crossing to "on going". CD Director Doty informed the Commission that there is a feasibility study on several of the pedestrian studies. Commissioner Brecht stated that the feasibility study should be short term and depending on the cost determine if it remains a priority. Commissioner Hasskamp asked if the DNR has said anything about the Paul Bunyan re-route. CD Director Doty stated that there has not been any specific conversation to plan a re-route but that it would be a joint project if we did plan a re-route. They determined that No. 8, 9, 10 on the trail list should be moved to "ongoing" and No. 12 to "long" and the Jewelwood trail remain a priority.

Private Memorial Dedications

CD Director Doty noted that due to the time, and that there is the next meeting coming in that this item would be put on the next agenda. Chair Kalkofen asked that staff determine the two programs the work best for Baxter. CD Director Doty stated that since there are so many options, staff wanted the Commission to see what other communities are doing prior to recommending a program. However, he also said he understood and agreed to come back to the next meeting with a recommendation.

Approved Meeting Dates for 2015/Next Meeting

Meeting dates will be discussed at the February meeting. The next meeting is scheduled for February 23, 2015 at 4:00 p.m.

Other Business

None

Adjournment

MOTION by Commissioner Holderness, seconded by Commissioner Holderness to adjourn the meeting at 5:45p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Chair Jim Kalkofen

Shanna Newman CD Clerk

REQUEST FOR COUNCIL ACTION

February 3, 2015

Department Origination: Police

Agenda Section: Consent

Agenda Item: Approve of Installation of the “Yellow Ribbon” community signs.

Approval Required: Simple Majority of Vote of the Council

BACKGROUND

Locally the City of Baxter has been a part of the Beyond the Yellow Ribbon campaign for several years. This committee has representation from Baxter, Brainerd, Crow Wing County, local military branches and some private business.

Our representation helped establish the area as a “Beyond the Yellow Ribbon Community”. As a result of that recognition the oversight board allows for the purchase of signs indicating your success in attaining that goal.

Our local committee has worked to purchase a total of ten (10) of these signs for placement in our service area. The committee was hopeful that the local jurisdictions of Baxter, Brainerd and Crow Wing County could assist in the installation of these signs.

For Baxter there will be two (2) signs the committee is hoping we can assist in erecting. The preferred location would be on MN State Hwy 371 at the northern and southern edge of the city limits. The City of Brainerd will also be installing two (2) signs and Crow Wing County will place an additional six (6).

The committee has been working with MNDOT to ensure their permission and approval for placement of the signs on the existing city population signs. MNDOT has agreed to work with the committee but it is apparent that each city staff will have to contact MNDOT directly as the committee members do not have the knowledge or expertise to finalize the completion of the installation.

The committee is looking for City of Baxter to grant council approval to erect the signs within city limits and then direct city staff to install the signs at no charge. This would require city staff to work with MNDOT on final install efforts.

Should city staff run into complications with MNDOT based on regulations that would create additional costs the committee is requesting city staff report back. The committee would then work to secure additional funding to cover any additional costs. It is the committee’s desire to not see any of the local jurisdictions incur additional costs.

FINANCIAL IMPLICATIONS

Staff time for communication and coordination with MNDOT and staff time for installation.

STAFF RECOMMENDATION

Staff is recommending approval of the request to place “Yellow Ribbon” signs at the entrance to Baxter on existing MNDOT signs.

COUNCIL ACTION REQUESTED

Motion to approve request for installation of “Yellow Ribbon” signs.

REQUEST FOR COUNCIL ACTION

02.03.2015

Department Origination:
Public Works Department

Agenda Section:
Consent

Agenda Item: Direct staff to solicit proposals from qualified engineering firms to provide professional engineering and related services for the 2015 City of Baxter annual mill & overlay and full depth reclamation projects.

Approval Required: Simple Majority Vote of the Council

BACKGROUND

The draft 5-year Capital Improvement Plan (CIP) has an annual proposed plan to mill and overlay City streets and full depth reclamation on City streets. The draft 5-year CIP was put together using the Pavement Management Plan that was completed by Bolton & Menk in 2013.

Attached is a map showing the recommended 2015 Mill and Overlay and Full Depth Reclamation Projects as per the pavement management plan completed by Bolton & Menk.

FINANCIAL IMPLICATIONS

Finance Director Vacinek comments and recommendations are attached. Finance Director Vacinek is recommending bonding for the project. The project would be assessed as per the City of Baxter Assessment policy. Assessments are estimated to be over the 20% as required for bonding. As stated in the attached Finance Director Vacinek estimated financial analysis per the City's assessment policy, projects are typically 100% assessed for up to 26 foot-wide residential streets and up to a 44 foot-wide commercial street. Any portions of the street abutting Trunk Highways 371 and 210 as frontage roads are paid by the City through the bond proceeds funded by a debt service property tax levy.

STAFF RECOMMENDATION

Staff recommends soliciting proposals from qualified engineering firms to provide professional engineering and related services for the 2015 City of Baxter Annual Mill & Overlay and Full Depth Reclamation Projects.

Staff is recommending sending the proposals to the three (3) local firms of Bolton & Menk, SEH Inc. and WSN.

COUNCIL ACTION REQUESTED

MOTION to direct staff to solicit proposals from qualified engineering firms to provide professional engineering and related services for the 2015 City of Baxter Annual Mill & Overlay and Full Depth Reclamation Projects.

Attached: Proposed RFP
 Map – 2015 Mill and Overlay and Full Depth Reclamation Projects
 Financial Director Vacinek financial comments and recommendations

**CITY OF BAXTER, MINNESOTA
RESOLUTION 2015-14**

**A RESOLUTION RELATING TO PARKING RESTRICTIONS ON ISLE DRIVE
FROM COUNTY STATE AID HIGHWAY 48 TO GLORY ROAD, IN THE CITY OF
BAXTER, MINNESOTA.**

WHEREAS, THIS RESOLUTION was passed this 3rd day of February 2015, by the City of Baxter in Crow Wing County, Minnesota. The Municipal Corporation shall hereinafter be called the "City"; and

WHEREAS, the City, has planned the improvement of Isle Drive from County State Aid Highway 48 to Falcon Drive in the City of Baxter, Minnesota; and

WHEREAS, the City may be expending Municipal State Aid Street Funds on the improvements of the County State Aid Highway 48 intersection; and

WHEREAS, this improvement does not provide adequate width for parking on both sides of the street; and approval of the proposed construction as a Municipal State Aid Street project must therefore be conditioned upon certain parking restrictions.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAXTER, MINNESOTA:

The City shall ban the parking of motor vehicles on the both sides of Isle Drive from County State Aid Highway 48 to Glory Road at all times.

Whereupon, said Resolution is hereby declared adopted on this 3rd day of February, 2015.

Todd Holman. Acting Mayor

ATTEST:

Kelly Steele, Assistant City Administrator/Clerk

City Seal